

EMR

United States District Court
District of Utah



D. Mark Jones
Clerk of Court

Louise S. York
Chief Deputy Clerk

July 1, 2008

United States District Court
Northern District of Illinois
Clerk of Court, Clerk
219 South Dearborn Street

Chicago, IL 60604

08cr 498

FILED
J.N
JUL X 7 2008
7-7-08
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

08cr 498
Judge Dorrah
Mag. Judge Cox

RE: USA v. Spann et al
2:03cr00993-002 DB - Utah
08cr498 - Northern District of Illinois

Dear Clerk of Court:

The Transfer of Jurisdiction Order was signed on 6/23/2008 and jurisdiction accepted by Judge James F. Holderman.

Documents filed prior to May 2, 2005 are forwarded with this letter. Documents filed since that time may be accessed through our CM/ECF system <https://ecf.utd.uscourts.gov/>. If you do not have Court PACER login and password, please contact Robert Janzen at 801-524-6105.

Please sign the enclosed copy of this letter as a receipt and return to my attention. If I can be of further assistance, please advise. My telephone number is 801-524-3245.

Sincerely,
D. Mark Jones, Clerk

By: *[Signature]*
Ryan Robertson

Enclosures

cc: U.S. Probation Office - Utah w/copy of Transfer of Jurisdiction Order
U.S. Attorney c/o FLU Unit
Financial Administrator, USDC

ACKNOWLEDGMENT OF RECEIPT:

Received by: _____ Date: _____

PAUL M. WARNER, United States Attorney (#3389)
LESHIA M. LEE-DIXON, Assistant United States Attorney (#5871)
Attorneys for the United States of America
185 South State Street, #400
Salt Lake City, Utah 84111-1506
Telephone: (801) 524-5682
Facsimile: (801) 524-6924

FILED
FED. DIST. COURT
17 DEC 03 PM 5:18
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA, :
 :
Plaintiff, : I N D I C T M E N T
 :
vs. : VIO. 18 U.S.C. § 922(g)(1),
 : POSSESSION OF A FIREARM
WALTER LEE SPANN and : BY A CONVICTED FELON; 18
RICHARD TYLER, : U.S.C. § 2 AIDING AND
 : ABETTING
Defendants. :

The Grand Jury Charges:

Judge Dee Benson
DECK TYPE: Criminal
DATE STAMP: 12/17/2003 @ 10:59:27
CASE NUMBER: 2:03CR00993 DB

COUNT 1
(18 U.S.C. § 922(g)(1))

On or about September 6, 2003, in the Central Division of
the District of Utah,

WALTER LEE SPANN AND RICHARD TYLER

the defendants herein, having been convicted of a crime which
carries a punishment of more than one year incarceration, did
knowingly possess in and affecting interstate commerce, a

firearm, to wit: a Westpoint, Model 179PD Series E, 20 Gauge Shotgun; and did aid and abet therein; all in violation of 18 U.S.C. § 922(g)(1).

A TRUE BILL:

FOREPERSON OF GRAND JURY ⁿ

PAUL M. WARNER
UNITED STATES ATTORNEY

Leshia M. Lee-Dixon
LESHIA M. LEE-DIXON

Assistant United States Attorney

USDC UT Approved 06/06/00 Revised 01/20/04

FILED
DISTRICT COURT

United States District Court

21 JUN 04 AM 9:20
DISTRICT OF UTAH

UNITED STATES OF AMERICA

vs.

Richard Tyler

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 2:03-cr-00993-002DB

Plaintiff Attorney: Michele Christiansen

Defendant Attorney: Vanessa Ramos-Smith

Atty: CJA ___ Ret ___ FPD ☒

06/15/2004

Date of Imposition of Sentence

Defendant's Mailing Address:

SAME

SAME

Country

Chicago, Illinois 60620

Country

THE DEFENDANT:

☒ pleaded guilty to count(s)☐ pleaded nolo contendere to count(s)
which was accepted by the court.☐ was found guilty on count(s)

COP 03/16/2004 Verdict

I-IndictmentTitle & Section

18USC§922(g)(1)

Nature of Offense

Possession of a Firearm by a Convicted Felon

CountNumber(s)

I

Entered on docket

6/22/04 by: KVS

Deputy Clerk

☐ The defendant has been found not guilty on count(s)☐ Count(s) (is)(are) dismissed on the motion of the United States.

SENTENCE

Pursuant to the Sentencing Reform Act of 1984, it is the judgment and order of the Court that the defendant be committed to the custody of the United States Bureau of Prisons for a term of 72 months.

Upon release from confinement, the defendant shall be placed on supervised release for a term of 5 years.

☐ The defendant is placed on Probation for a period of _____.
The defendant shall not illegally possess a controlled substance.

34

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant possesses a low risk of future substance abuse. (Check if applicable.)

SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

In addition to all Standard Conditions of (Supervised Release or Probation) set forth in PROBATION FORM 7A, the following Special Conditions are imposed: (see attachment if necessary)

1. The defendant will submit to drug/alcohol testing as directed by the probation office and pay a one time \$115.00 fee to partially defer the costs of collection and testing. If testing reveals illegal drug use, the defendant shall participate in drug abuse treatment under a co-payment plan as directed by the United States Probation Office.
2. The defendant shall not use or possess alcohol.

CRIMINAL MONETARY PENALTIES

FINE

The defendant shall pay a fine in the amount of \$ _____, payable as follows:

- ☐ forthwith.
- ☐ in accordance with the Bureau of Prison's Financial Responsibility Program while incarcerated and thereafter pursuant to a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ in accordance with a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☒ other:
No Fine Imposed

- ☐ The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f).
- ☐ The court determines that the defendant does not have the ability to pay interest and pursuant to 18 U.S.C. § 3612(f)(3), it is ordered that:
- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

RESTITUTION

The defendant shall make restitution to the following payees in the amounts listed below:

Defendant: Richard Tyler
 Case Number: 2:03-cr-00993-002DB

| <u>Name and Address of Payee</u> | <u>Amount of Loss</u> | <u>Amount of Restitution Ordered</u> |
|----------------------------------|-----------------------|--------------------------------------|
|----------------------------------|-----------------------|--------------------------------------|

Totals: \$ _____ \$ _____

(See attachment if necessary.) All restitution payments must be made through the Clerk of Court, unless directed otherwise. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless otherwise specified.

☐ Restitution is payable as follows:

☐ in accordance with a schedule established by the U.S. Probation Office, based upon the defendant's ability to pay and with the approval of the court.

☐ other: _____

☐ The defendant having been convicted of an offense described in 18 U.S.C. § 3663A(c) and committed on or after 04/25/1996, determination of mandatory restitution is continued until _____ pursuant to 18 U.S.C. § 3664(d)(5)(not to exceed 90 days after sentencing).

☐ An Amended Judgment in a Criminal Case will be entered after such determination

SPECIAL ASSESSMENT

The defendant shall pay a special assessment in the amount of \$ 100.00, payable as follows:

☒ forthwith.

☐ _____

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

PRESENTENCE REPORT/OBJECTIONS

The court adopts the factual findings and guidelines application recommended in the presentence report except as otherwise stated in open court.

DEPARTURE

The Court grant the Motion for Departure pursuant to 18 U.S.C. 3553(c)(2), the Court enters its reasons for departure:

RECOMMENDATION

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

☒ Pursuant to 18 U.S.C. § 3621(b)(4), the Court makes the following recommendations to the Bureau of Prisons:

The Court recommends the Federal Correctional Institution at Pekin, Illinois for family visitation.

CUSTODY/SURRENDER

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district at _____ on _____.

☐ The defendant shall report to the institution designated by the Bureau of Prisons by _____ Institution's local time, on _____.

DATE: 6-18-04

Dee Benson
Dee Benson
United States District Judge

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

kvs

United States District Court
for the
District of Utah
June 22, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cr-00993

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Leshia M. Lee-Dixon, Esq.
US ATTORNEY'S OFFICE

,
EMAIL

Robert Breeze, Esq.
402 E 900 S #1
SALT LAKE CITY, UT 84111
EMAIL

Vanessa M. Ramos-Smith, Esq.
UTAH FEDERAL DEFENDER OFFICE
46 W BROADWAY STE 110
SALT LAKE CITY, UT 84101
EMAIL

USMS
DISTRICT OF UTAH

,
EMAIL

US Probation
DISTRICT OF UTAH

,
EMAIL

USDC UT Approved 06/06/00 Revised 01/20/04

United States District Court District of Utah

FILED
U.S. DISTRICT COURT

2005 APR 26 P 2:22

UNITED STATES OF AMERICA

vs.

Richard Tyler

AMENDED JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

BY:

DEPUTY CLERK

Case Number: 2:03-cr-00993-002DB

Plaintiff Attorney: Michele Christiansen

Defendant Attorney: Vanessa Ramos-Smith

Atty: CJA ___ Ret ___ FPD 2

Defendant's Soc. Sec. No.: _____

Defendant's Date of Birth: _____

Defendant's USM No.: 11177-081

Defendant's Residence Address: _____

Country _____

06/15/2004

Date of Imposition of Sentence

Defendant's Mailing Address:

SAMESAME

Country _____

THE DEFENDANT:

- ☒ pleaded guilty to count(s)
- ☐ pleaded nolo contendere to count(s) which was accepted by the court.
- ☐ was found guilty on count(s)

COP 03/16/2004 Verdict _____I-Indictment

Title & Section
18USC§922(g)(1)

Nature of Offense
Possession of a Firearm by a Convicted Felon

Count
Number(s)
I

Entered on docket

4/27/05 by:KVS

Deputy Clerk

- ☐ The defendant has been found not guilty on count(s) _____
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.

SENTENCE

Pursuant to the Sentencing Reform Act of 1984, it is the judgment and order of the Court that the defendant be committed to the custody of the United States Bureau of Prisons for a term of 46 months.

Upon release from confinement, the defendant shall be placed on supervised release for a term of 3 years.

- ☐ The defendant is placed on Probation for a period of _____
- The defendant shall not illegally possess a controlled substance.

74

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant possesses a low risk of future substance abuse. (Check if applicable.)

SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

In addition to all Standard Conditions of (Supervised Release or Probation) set forth in PROBATION FORM 7A, the following Special Conditions are imposed: (see attachment if necessary)

1. The defendant will submit to drug/alcohol testing as directed by the probation office and pay a one time \$115.00 fee to partially defer the costs of collection and testing. If testing reveals illegal drug use, the defendant shall participate in drug abuse treatment under a co-payment plan as directed by the United States Probation Office.
2. The defendant shall not use or possess alcohol.

CRIMINAL MONETARY PENALTIES

FINE

The defendant shall pay a fine in the amount of \$ _____, payable as follows:

- ☐ forthwith.
- ☐ in accordance with the Bureau of Prison's Financial Responsibility Program while incarcerated and thereafter pursuant to a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ in accordance with a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.

☒ other:

No Fine Imposed

- ☐ The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f).
- ☐ The court determines that the defendant does not have the ability to pay interest and pursuant to 18 U.S.C. § 3612(f)(3), it is ordered that:
- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

RESTITUTION

The defendant shall make restitution to the following payees in the amounts listed below:

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

| <u>Name and Address of Payee</u> | <u>Amount of Loss</u> | <u>Amount of Restitution Ordered</u> |
|----------------------------------|-----------------------|--------------------------------------|
|----------------------------------|-----------------------|--------------------------------------|

Totals: \$ _____ \$ _____

(See attachment if necessary.) All restitution payments must be made through the Clerk of Court, unless directed otherwise. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless otherwise specified.

☐ Restitution is payable as follows:

- ☐ in accordance with a schedule established by the U.S. Probation Office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ other: _____

☐ The defendant having been convicted of an offense described in 18 U.S.C. § 3663A(c) and committed on or after 04/25/1996, determination of mandatory restitution is continued until _____ pursuant to 18 U.S.C. § 3664(d)(5)(not to exceed 90 days after sentencing).

☐ An Amended Judgment in a Criminal Case will be entered after such determination

SPECIAL ASSESSMENT

The defendant shall pay a special assessment in the amount of \$ 100.00, payable as follows:

☒ forthwith.

☐ _____

IT IS ORDERED that the defendant shall notify the United States Attorney of any change of name, residence, or mailing address within 30 days of any change, and that the defendant shall remain in custody until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

PRESENTENCE REPORT/OBJECTIONS

The court adopts the factual findings and guidelines application recommended in the presentence report except as otherwise stated in open court.

DEPARTURE

The Court grant the Motion for Departure pursuant to 18 U.S.C. 3553(c)(2), the Court enters its reasons for departure: Grants the Governments motion for reduction of sentence as the defendant has provided substantial assistance in the investigation and prosecution of the co-defendant Walter Spann.

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

RECOMMENDATION

- ☒ Pursuant to 18 U.S.C. § 3621(b)(4), the Court makes the following recommendations to the Bureau of Prisons:

The Court recommends that the defendant not be placed in Leavenworth, KS., because of the defendants personal security and safety may be in jeopardy. The court will recommend a Federal Correctional Institution at Pekin, Illinois for family visitation. The Court also recommends a strong drug re-hab program.

CUSTODY/SURRENDER

- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district at _____ on _____.
- ☐ The defendant shall report to the institution designated by the Bureau of Prisons by _____ Institution's local time, on _____.

DATE: April 25, 2005

Dee Benson
Dee Benson
United States District Judge

Defendant: Richard Tyler
Case Number: 2:03-cr-00993-002DB

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

kvs

United States District Court
for the
District of Utah
April 27, 2005

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cr-00993

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Leshia M. Lee-Dixon, Esq.
US ATTORNEY'S OFFICE

,
EMAIL

John W. Huber, Esq.
US ATTORNEY'S OFFICE

,
EMAIL

Robert Breeze, Esq.
402 E 900 S #1
SALT LAKE CITY, UT 84111
EMAIL

Vanessa M. Ramos-Smith, Esq.
UTAH FEDERAL DEFENDER OFFICE
46 W BROADWAY STE 110
SALT LAKE CITY, UT 84101
EMAIL

United States Marshal Service
DISTRICT OF UTAH

,
EMAIL

US Probation
DISTRICT OF UTAH

,
EMAIL

CJA, CLOSED, FPD

**Electronic Case Filing System
District of Utah (Central)
CRIMINAL DOCKET FOR CASE #: 2:03-cr-00993-DB-2**

Case title: USA v. Spann, et al

Date Filed: 12/17/2003

Date Terminated: 06/21/2004

Assigned to: Judge Dee Benson

Defendant (2)**Richard Tyler**

TERMINATED: 06/21/2004

represented by **Richard Tyler**8115 S SANGAMON
CHICAGO, IL 60620
PRO SE**Vanessa M. Ramos**UTAH FEDERAL DEFENDER
OFFICE46 W BROADWAY STE 110
SALT LAKE CITY, UT 84101
(801)524-4010Email: vanessa_ramos@fd.org

TERMINATED: 06/21/2004

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or
Community Defender Appointment**Pending Counts**18:922G.F UNLAWFUL
TRANSPORT OF FIREARMS,
ETC./POSSESSION OF A FIREARM
BY A CONVICTED FELON; 18:2
AIDING AND ABETTING
(1)**Disposition**Dft plead guilty. SENTENCE: Dft
committed to the custody of BOP for 72
months. Upon rlse dft to be placed on
Supr Rlse for 60 months. No fine
imposed. VAF: \$100.00. AMENDED
JUDGMENT. DFT COMMITTED TO
THE CUSTODY OF BOP FOR A
PERIOD OF 46 MONTHS. UPON
RLSE DFT TO BE PLACED ON
SUPR RLSE FOR A PERIOD OF 36
MONTHS. NO FINE IMPOSED. SPA:
\$100.00.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Dee Benson

Defendant (2)

Richard Tyler

TERMINATED: 06/21/2004

Pending Counts

18:922G.F UNLAWFUL
TRANSPORT OF FIREARMS,
ETC./POSSESSION OF A FIREARM
BY A CONVICTED FELON; 18:2
AIDING AND ABETTING
(1)

Disposition

Dft plead guilty. SENTENCE: Dft committed to the custody of BOP for 72 months. Upon rlse dft to be placed on Supr Rlse for 60 months. No fine imposed. VAF: \$100.00. AMENDED JUDGMENT. DFT COMMITTED TO THE CUSTODY OF BOP FOR A PERIOD OF 46 MONTHS. UPON RLSE DFT TO BE PLACED ON SUPR RLSE FOR A PERIOD OF 36 MONTHS. NO FINE IMPOSED. SPA: \$100.00.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Notice Party

United States Marshal Service
TERMINATED: 04/29/2005

Notice Party

US Probation
TERMINATED: 04/29/2005

Plaintiff

UNITED STATES OF AMERICA

represented by **John W. Huber**
 US ATTORNEY'S OFFICE (UT)
 SALT LAKE CITY, UT 00000
 (801)524-5682
 Email: john.huber@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leshia M. Lee-Dixon
 US ATTORNEY'S OFFICE (UT)
 SALT LAKE CITY, UT 00000
 (801)524-5682
TERMINATED: 07/08/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|-----------|--|
| 12/17/2003 | <u>1</u> | INDICTMENT as to Walter Lee Spann (1) count(s) 1, Richard Tyler (2) count (s) 1 Assigned to Judge Dee Benson (kvs) (Entered: 12/19/2003) |
| 12/18/2003 | 3 | ARREST WARRANT issued as to Richard Tyler (kvs) (Entered: 12/19/2003) |
| 01/08/2004 | <u>4</u> | PETITION by USA for Writ of Habeas Corpus ad Prosquendum as to Richard Tyler for 1/15/04 at 1:30 p.m. before BCW (ce) (Entered: 01/14/2004) |
| 01/13/2004 | <u>5</u> | WRIT of Habeas Corpus ad Prosequendum issued as to Richard Tyler for 1/15/04 1:30 pm before BCW. cc: USMS (ce) Modified on 01/14/2004 (Entered: 01/14/2004) |
| 01/14/2004 | <u>10</u> | AMENDED WRIT of Habeas Corpus ad Prosequendum issued as to Richard Tyler for 1/15/04 at 1:30 pm before the Magistrate Judge Brook Wells (kvs) (Entered: 01/16/2004) |
| 01/15/2004 | <u>6</u> | Initial appearance as to Richard Tyler held: Defendant present and in custody. Indictment, charges, rights and penalties explained. Defendant requests counsel. Financial Affidavit submitted. Court appoints FPD counsel who is present and accepts the appointment. Defendant waives formal reading of the indictment and enters a plea of N/G. A 2 day trial date is set for 3/22/04 at |

| | | |
|------------|-----------|--|
| | | 8:30 a.m. before Judge Benson; motion filing deadline is set for 2/19/04 (see pretrial order for other dates). Gvmt seeks detention-defendant is appearing on a writ. Defendant states that he wishes to remain in federal custody. Defendant is remanded to custody of USMS. (Defendant informed of rights.) Atty for Govt: Kevin Sundwall, AUSA, Atty for Dft: Richard MacDougall, FPD. Judge Brooke C. Wells Court Reporter: Electronic, Tape No.: 55 Log No.: 4118-4684, Court Deputy: alp, Interpreter: n/a (alp) (Entered: 01/15/2004) |
| 01/15/2004 | <u>6</u> | Arraignment as to Richard Tyler held 2 day jury trial set for 8:30 3/22/04 for Richard Tyler motion filing set for 5:00 2/19/04 for Richard Tyler Atty for Govt: Kevin Sundwall, AUSA, Atty for Dft: Richard MacDougall, FPD. Judge Brooke C. Wells Court Reporter: Electronic, Tape No.: 55 Log No.: 4118-4684, Court Deputy: alp, Interpreter: n/a (alp) (Entered: 01/15/2004) |
| 01/15/2004 | <u>7</u> | CJA 23 FINANCIAL AFFIDAVIT by Richard Tyler (alp) (Entered: 01/15/2004) |
| 01/15/2004 | <u>8</u> | ORDER as to Richard Tyler Appointing Federal Public Defender Vanessa M. Ramos-Smith signed by Judge Brooke C. Wells , 1/15/04 cc:atty (alp) (Entered: 01/15/2004) |
| 01/15/2004 | <u>9</u> | ORDER OF DETENTION as to Richard Tyler (Signed by Judge Brooke C. Wells) 1/15/04 (alp) (Entered: 01/15/2004) |
| 01/15/2004 | <u>13</u> | PRETRIAL ORDER as to Richard Tyler setting 2-Day` Jury Trial for 8:30 3/22/04 for Richard Tyler. Deadline for filing of all motions 5:00 2/19/04 for Richard Tyler. Proposed jury instructions and proposed voir dire due 3/19/04; plea negotiations, if appropriate, should be completed by 3/8/04. See order in file for specifics. Signed by Judge Brooke C. Wells 1/15/04 cc: atty (kvs) (Entered: 01/21/2004) |
| 01/16/2004 | <u>11</u> | ARREST WARRANT Returned Executed as to Richard Tyler on 1/15/04 (ce) (Entered: 01/20/2004) |
| 01/16/2004 | <u>12</u> | NOTICE of Appearance for Richard Tyler by Attorney Vanessa M. Ramos FPD (kvs) (Entered: 01/20/2004) |
| 01/20/2004 | <u>14</u> | INITIAL CERTIFICATE OF COMPLIANCE AND REQUEST FOR DISCOVERY filed by USA as to Richard Tyler (kvs) (Entered: 01/21/2004) |
| 01/20/2004 | <u>15</u> | GOVERNMENT STATEMENT OF DISCOVERY POLICY filed by USA as to Richard Tyler (kvs) (Entered: 01/21/2004) |
| 03/09/2004 | <u>16</u> | NOTICE of Hearing: Set Change of Plea Hearing for 2:00 3/16/04 for Richard Tyler Chief Judge Dee Benson cc:atty (Ntc generated by: Chmbrs, RB) (alt) (Entered: 03/09/2004) |
| 03/16/2004 | <u>17</u> | Minute entry of proceedings held before Chief Judge Dee Benson 'as to Richard Tyler : Dft present and in custody with cnsl; dft sworn & gave ans to questions posed by the Crt to comply with Rule 11 of the FRCr.P. Stmt P/G executed & filed. Dft entered P/G to cnt 1 of the indictment. Crt accepted plea as being knowingly & voluntarily made. Crt orders PSR & sets sentencing for 6/15/04 at 2:00 p.m. Dft is remanded to the custody of the USMS. , Guilty: Richard Tyler (2) count(s) 1 (Terminated motions:) , set Sentencing for 2:00 |

| | | |
|------------|-----------|--|
| | | 6/15/04 for Richard Tyler (Oral Order) Atty for Govt: Leshia Lee-Dixon, Atty for Dft: Vanessa Ramos-Smith, . Court Reporter: Ed Young Court Deputy: Ron Black Interpreter: None (rb) (Entered: 03/17/2004) |
| 03/16/2004 | <u>18</u> | Statement in Advance of Plea Accepted as to Richard Tyler (rb) (Entered: 03/17/2004) |
| 05/17/2004 | <u>19</u> | Objections by USA to presentence report (kvs) (Entered: 05/18/2004) |
| 05/25/2004 | <u>20</u> | Defendant's Position with Respect to Sentencing Factors by Richard Tyler (kvs) (Entered: 05/26/2004) |
| 06/15/2004 | <u>33</u> | Sentencing as to Richard Tyler held. Dft present with cnsl and in custody. Stmt made by cnsl, dft & Govt. Crt Adjudges: Sentence: Dft placed in the custody of the B.O.P for 72 months. Supervised release 5 years. Standard conditions of release. Special condition: 1. The defendant will submit to drug/alcohol testing as directed by the probation office and pay a one time \$115.00 fee to partially defer the costs of collection and testing. If testing reveals illegal drug use, the defendant shall participate in drug abuse treatment under a co-payment plan as directed by the United States Probation Office. 2. The defendant shall not use or possess alcohol. No fine is imposed Special assessment fee of \$100.00, payable forthwith. The Court informs the dft of his right to appeal within 10 days of entry of judgment. The Court recommends the Federal Correctional Institution at Pekin, Illinois for family visitation. The Court also recommends a strong drug re-hab program. The dft is remanded to the custody of the USMS. Richard Tyler (2) count(s) 1 Chief Judge Dee Benson Court Reporter: Ed Young Court Deputy: Ron Black Interpreter: None (rb) (Entered: 06/18/2004) |
| 06/16/2004 | <u>31</u> | Sealed ex parte order signed by Chief Judge Dee Benson 6/15/04 cc:atty (kvs) (Entered: 06/16/2004) |
| 06/16/2004 | <u>32</u> | Government's Position with Respect to Sentencing Factors as to Richard Tyler (kvs) (Entered: 06/16/2004) |
| 06/21/2004 | <u>34</u> | JUDGMENT Richard Tyler (2) count(s) 1. Dft plead guilty. SENTENCE: Dft committed to the custody of BOP for 72 months. Upon rlse dft to be placed on Supr Rlse for 60 months. No fine imposed. VAF: \$100.00. Signed by Chief Judge Dee Benson , 6/18/04 cc:atty (kvs) (Entered: 06/22/2004) |
| 06/25/2004 | <u>35</u> | WRIT of Habeas Corpus ad Prosequendum executed as to Richard Tyler partially on 1/15/04 and fully on 6/24/04 (tsh) (Entered: 06/25/2004) |
| 07/08/2004 | <u>36</u> | Substitution of Counsel. Terminated attorney Leshia M. Lee-Dixon for USA Added John W. Huber (kvs) (Entered: 07/09/2004) |
| 11/18/2004 | <u>46</u> | Sealed ex parte order signed by Chief Judge Dee Benson 11/18/04 cc:atty (kvs) (Entered: 11/18/2004) |
| 01/21/2005 | <u>52</u> | Sealed ex parte order signed by Chief Judge Dee Benson 1/21/05 cc:atty (asp) (Entered: 01/24/2005) |
| 01/28/2005 | <u>54</u> | Judgment Returned Executed as to Richard Tyler on 1/6/05 to USP Leavenworth KS (kvs) (Entered: 01/31/2005) |

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| 04/18/2005 | <u>67</u> | Return of service executed re: subpoena served on Detective Jason Ashment on 4/13/05 (kvs) (Entered: 04/19/2005) |
| 04/20/2005 | <u>69</u> | NOTICE of Hearing :, Reset Re-Sentencing for 1:30 4/25/05 for Richard Tyler Chief Judge Dee Benson cc:atty (Ntc generated by: DB chambers) (kvs) (Entered: 04/20/2005) |
| 04/21/2005 | <u>70</u> | MOTION by USA as to Richard Tyler to reduce dfts sentence (kvs) (Entered: 04/22/2005) |
| 04/21/2005 | <u>71</u> | Return of service executed re: subpoena served on Greg Markham and Officer Arguenta on 4/18/05 (kvs) (Entered: 04/22/2005) |
| 04/22/2005 | <u>72</u> | AMENDED NOTICE of Hearing :, Set Sentencing for 1:30 4/25/05 for Richard Tyler Chief Judge Dee Benson cc:atty (Ntc generated by: DB chambers) (kvs) (Entered: 04/22/2005) |
| 04/25/2005 | <u>73</u> | Sentencing as to Richard Tyler held. Dft present with cnsl and in custody. Govt has filed a motion for reduction of sentence as the defendant has provided substantial assistance in the investigation and prosecution of the co-defendant Walter Spann. Stmts made by cnsl, dft & Govt. The Court grants the Govts motion. Crt Adjudgets: Sentence: Dft placed in the custody of the B.O.P for 46 months. Supervised release 3 years. Standard conditions of release. All special conditions remain the same. 1. The defendant will submit to drug/alcohol testing as directed by the probation office and pay a one time \$115.00 fee to partially defer the costs of collection and testing. If testing reveals illegal drug use, the defendant shall participate in drug abuse treatment under a co-payment plan as directed by the United States Probation Office. 2. The defendant shall not use or possess alcohol. No fine is imposed Special assessment fee of \$100.00, payable forthwith. The Court informs the dft of his right to appeal within 10 days of entry of judgment. The Court recommends that the defendant not be placed in Leavenworth, KS., because of the defendants personal security and safety may be in jeopardy. The court will recommend a Federal Correctional Institution at Pekin, Illinois for family visitation. The Court also recommends a strong drug re-hab program. The dft is remanded to the custody of the USMS. Chief Judge Dee Benson Court Reporter: Ed Young Court Deputy: Ron Black Interpreter: None (rb) (Entered: 04/25/2005) |
| 04/26/2005 | <u>74</u> | AMENDED JUDGMENT: Richard Tyler (2) count(s) 1. Dft plead guilty. SENTENCE: Dft committed to the custody of BOP for 72 months. Upon rlse dft to be placed on Supr Rlse for 60 months. No fine imposed. VAF: \$100.00. AMENDED JUDGMENT. DFT COMMITTED TO THE CUSTODY OF BOP FOR A PERIOD OF 46 MONTHS. UPON RLSE DFT TO BE PLACED ON SUPR RLSE FOR A PERIOD OF 36 MONTHS. NO FINE IMPOSED. SPA: \$100.00. Signed by Chief Judge Dee Benson 4/25/05 (kvs) (Entered: 04/27/2005) |
| 05/23/2005 | <u>79</u> | Judgment Returned Executed as to Richard Tyler on 5/18/05 to Leavenworth, KS. (asp) (Entered: 05/24/2005) |
| 01/08/2007 | <u>147</u> | ORDER denying Motion to Amend/Correct Sentence as to Richard Tyler. Signed by Judge Dee Benson on 1/5/07. (asp) (Entered: 01/09/2007) |

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| 03/26/2007 | <u>148</u> | MOTION for Reconsideration for Jail Credit by Richard Tyler. (asp) (Entered: 03/27/2007) |
| 09/04/2007 | <u>149</u> | ORDER dismissing <u>148</u> Motion for Reconsideration for Jail Credit as to Richard Tyler (2). Signed by Judge Dee Benson on 08/31/2007. (asp) (Entered: 09/04/2007) |
| 06/30/2008 | <u>150</u> | SUPERVISED RELEASE JURISDICTION TRANSFERRED to Northern District of Illinois as to Richard Tyler (rlr) (Entered: 07/01/2008) |
| 07/01/2008 | <u>151</u> | NOTICE OF TRANSMITTAL that case has been transferred to Northern District of Illinois per order entered 6/30/2008. Certified Copy of Transfer Order and Letter sent. (rlr) (Entered: 07/01/2008) |

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